

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

## Alexandria Division

**ATTAIN, LLC**

*Plaintiff,*

**V.**

**VERITAS CAPITAL FUND  
MANAGEMENT, L.L.C.**

***Defendant.***

**Civil Action No. 1:19-cv-01024**

**The Honorable Ivan D. Davis**

**MEMORANDUM IN SUPPORT OF THE JOINT MOTION TO VACATE HEARING  
AND SETTING EXPEDITED DISCOVERY SCHEDULE**

The Parties have jointly and respectfully moved to vacate the hearing on the Motion for Expedited Discovery (Dkt. No. 12) currently scheduled for August 23, 2019, and for entry of a limited, expedited discovery schedule related to the Motion for Preliminary Injunction (Dkt. No. 8), as follows:

1. The hearing on Plaintiff's Motion for Expedited Discovery currently scheduled for August 23, 2019, having been rendered unnecessary by the Parties agreeing to limited, expedited discovery, be vacated.
2. The Parties, having mutually agreed to make certain limited, expedited document productions for purposes of the Motion for Preliminary Injunction, will complete their exchange of documents by August 28, 2019.
3. The Parties shall complete depositions of each other's witnesses, not to exceed a total of three hours per side, by September 6, 2019. Each Party shall each be entitled to depose one agreed-upon individual witness of the other party who shall testify in his/her individual

capacity. The Parties shall make good faith, reasonable efforts to ensure the deponents are prepared to address the agreed-upon topics for expedited document discovery, without limitation as to time period.

4. Each party may serve one third-party subpoena for documents and deposition.

The reason for this motion is that both Parties have agreed to limited expedited discovery related to the Motion for Preliminary Injunction. This agreement obviates the need for the hearing on Plaintiff's Motion for Expedited Discovery currently scheduled for August 23, 2019.

The schedule for limited expedited discovery is necessary so that the Parties can obtain said discovery on a schedule that allows for such discovery to be used in the briefing of the Motion for Preliminary Injunction. The Parties believe that this schedule will be the most efficient for dealing with the limited expedited discovery.

Pursuant to Local Civil Rule 7(E), the attorneys for the Parties have met and conferred in a good faith effort to narrow the areas of disagreement on this motion, and have jointly agreed to request to vacate the hearing, and for entry of a limited, expedited discovery schedule as described above.

Dated: August 20, 2019

Respectfully submitted,

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*Counsel for Defendant Veritas Capital Fund  
Management, L.L.C.*

*Counsel for Plaintiff Attain, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 20<sup>th</sup> day of August, 2019, I caused the foregoing document to be filed and served electronically using the Court's CM/ECF system, which automatically sent a notice of electronic filing to all counsel of record.

Dated: August 20, 2019

/s/ J. Douglas Baldridge

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